

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

No. 5:10-CV-03499-HRL-JF

**REQUEST FOR DISMISSAL OF AL  
SHEN XUE dba MONGOLIAN BBQ  
BUFFET ONLY; ~~[PROPOSED]~~ ORDER**

GILROY VILLAGE SHOPPING CENTER,  
LLC., et al.,

WHEREAS, Plaintiff Michael Holbrook (“Plaintiff”) and Defendant Al Shen Xue dba Mongolian BBQ Buffet (“Defendant”), who has appeared in this action, have reached a full and complete settlement of this matter as between them;

WHEREAS, Plaintiff and Defendant seek to have Defendant dismissed with prejudice from this action;

WHEREAS, no counterclaim has been filed in this action;

Plaintiff hereby respectfully requests that Defendant Al Shen Xue dba Mongolian BBQ Buffet only be dismissed with prejudice from this action pursuant to Federal Rule of Civil Procedure 41(a)(2).

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1 Date: June 9, 2011

MOORE LAW FIRM, P.C.

2  
3 /s/Tanya E. Moore

4 Tanya E. Moore

5 Attorneys for Plaintiff

6 **ORDER**

7 Good cause appearing,

8 IT IS HEREBY ORDERED that Al Shen Xue dba Mongolian BBQ Buffet only be  
9 dismissed with prejudice from this action.

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11  
12 **IT IS SO ORDERED.**

13  
14 Dated: 6/15/11

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United States District Court Judge